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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

K.S. by her interim guardians ad litem, and
DOROTHY SPIOTTA and PAUL SPIOTTA,

Plaintiffs,

v.

AMBASSADOR PROGRAMS, INC.,
AMBASSADORS GROUP, INC., and
PEOPLE TO PEOPLE INTERNATIONAL,

Defendants.

No. CV 08-243-FVS

DEFENDANTS' JOINT
MOTION TO DISMISS
PAUL AND DOROTHY
SPIOTTA'S CLAIMS FOR
DAMAGES FOR LOSS OF
CONSORTIUM AND
EMOTIONAL DISTRESS

Pursuant to Federal Rule of Civil Procedure 12(b)(b), Defendants move the Court for
an order dismissing Paul Spiotta and Dorothy Spiotta's claims for damages for loss of

1 consortium and emotional distress because Plaintiffs' complaint fails to state a plausible
2 claim under Virginia law under which those damages are recoverable.

3 DATED this 16th day of July 2009.

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5 WITHERSPOON, KELLEY, DAVENPORT
6 & TOOLE, P.S.

7 /s/ Geana M. Van Dessel

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of July, 2009:

1. I electronically filed the foregoing **Defendants' Joint Motion to Dismiss Paul and Dorothy Spiotta's Claims for Damages for Loss of Consortium and Emotional Distress** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

Timothy K. Ford:	timf@mhb.com
Katherine C. Chamberlain:	katherinec@mhb.com
Kenneth Isserlis:	kisserlis@leeisserlis.com
James B. King:	jking@ecl-law.com

2. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants at the address listed below: NONE.
3. I hereby certify that I have hand delivered the document to the following participants at the address listed below: NONE.

/s/ Emily Rousseau

Emily Rousseau, Legal Assistant
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